

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>WATERFRONT RENAISSANCE ASSOCIATES,                     Plaintiff</b>	: : : : : : : : : :	<b>CIVIL ACTION</b>     <b>NO. 07-1045</b>          
<b>v.</b>	:	
<b>CITY OF PHILADELPHIA, et al.,                     Defendants</b>	: : : : : : : : : :	

**ORDER**

**AND NOW**, this 30th day of March, 2010, upon consideration of defendant's motion to dismiss count fifteen of the second amended complaint (Doc. # 125), plaintiff's response thereto (Doc. # 126), and defendant's reply (Doc. # 130), it is hereby **ORDERED** that the defendant's motion is DENIED.

BY THE COURT:

/s/ LAWRENCE F. STENGEL  
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LAWRENCE F. STENGEL, J.